

June 28, 2020

To: Mr. Larry Burks, West Chester Township Administrator/Human Resources Manager

From: Police Officer Charles Hawkins

Regarding: Ongoing Investigation into Retaliation and Workplace Harassment

Dear Mr. Burks,

Sir, I do appreciate your time in reviewing this letting voicing some frustration and concern with the ongoing situation that has come to light within our police department. I am writing this to you and to HR due to the fact that I have no confidence in the upper levels of the command staff in addressing my concerns. I have reflected on the news that is currently available to the public along with internal knowledge of allegations that have been levied against the upper level of the police administration, primarily involving the Police Chief, Colonel Herzog. I took time in order to piece together my thoughts on this matter as I, along with other officers, have been subjected to similar behavior from the Chief. I would like to preface this complaint by stating that this does not come from a place of anger or retaliation, as I am simply assisting in adding to the truth of this conflict. I have been fortunate enough to find myself in a place where the repercussions of this complaint will affect me very little in regards to my livelihood. I say this, with the notion that there will be repercussions, because quite frankly, in my ten years with the police department, all of us officers are very aware that speaking up about wrongdoings carries a significant penalty with it.

Bringing this complaint to light is more about the multiple officers who have had inappropriate statements made to them, and are in fear of speaking out due to the culture of retaliation. Those officers simply do not have a plan b when it comes to their livelihood and they are faced with the moral dilemma of speaking up for what is right or possibly not being able to feed their families. This is an internal conflict that these officers should not have to bear. In an atmosphere and climate in policing this day and age, simply speaking the truth and standing up for what is right should be applauded, not chastised, yet, we find ourselves in this position. I reflected as two high level police officers sacrificed the safety of their families and reputations to bring to light numerous reports of inappropriate behavior by Chief Herzog, however, their courage and morals were met with a disheartening resistance. I am not judging any of the command staff based on their decisions as none of us are perfect by any means. At the end of the day, young police officers with long stressful careers ahead of them, should have examples set before them to strive to be honest and to stand up for what is right, even if they stand alone. Officers are told from day one in the police academy that being honest in all matters is a requirement and that no officer, to include the Chief, is above reproach. If the street level officer, criminal investigations detectives, front line supervisors are doing everything in their power to ensure this is a premier law enforcement agency, then why do we find ourselves in this position with the highest levels of management allowing inappropriate behavior to occur? What message or foundation does that establish for the officer with two weeks on the job?

The behavior in question that I'm referring to is in line with the complaints of Captain Joe Gutman and Captain Jamie Hensley. I bring this to light not to paint the Chief as a racist, because I truly do not believe that to be the case. There are multiple officers at the police department who have had inappropriate comments made to them by the Chief in the presence of multiple other civilian staff and fellow officers. I am one of these officers as in the summer of 2019, I, along with roughly 10 other members of the Swat team were sitting in the squad room prior to training. I had just received genealogy results from 23andMe, and was discussing my Puerto Rican heritage with some of the officers. I explained to them that Puerto Rico was a prior slave island and there is direct link and ties to Africa. I showed my peers my DNA

breakdown, showing the percentage of African heritage and we began discussing it. As we were talking, Chief Herzog and Lt. Col. Rebholz entered the squad room. The Chief asked what we were discussing and I explained to him what I just stated above. The Chief replied with "That's cool, does that mean I get to count you as two minorities now?". This statement resonated with me, for one, it was very inappropriate, racially insensitive, and outright unbecoming of a police chief. I looked at the other officers who could tell that I was shocked by the Chief's statement, and in turn they were as well. I looked over at Lt. Col. Rebholz who was visibly uncomfortable as the Chief continued with his jokes about checking multiple boxes off. At this point, Lt. Col. Rebholz left the room, I'm assuming due to the uncomfortableness. I stated, "I'm pretty sure we're not supposed to say that", and somewhat joked off the matter, however, it bothered me. I brought this comment up to a number of officers who also agreed, but knowing the atmosphere, I let it go. It was not until the recent accusations that I began to really analyze this. During the past few days, it was brought to my attention, by officers reflecting on things that they have heard the Chief say over the years, a number of concerning comments that establish a pattern of behavior that I simply don't see changing. It was brought to my attention that during an interaction with Police Officer Michael Lopez, Chief Herzog, while giving Mike and another officer who shares the same first name, but is caucasian, a positive PSL, in a group setting that included detectives and civilian staff, referred to both Mikes as "White Mike" and "Brown Mike". This information was given to me, unsolicited by a fellow officer, who believed this was inappropriate. I have since confirmed this information and recollection with Officer Lopez.

These are just two of the many examples that are being discussed around the police department in regards to racially sensitive comments. I reiterate that I do not believe any of us are perfect and that we all have flaws. It is in accepting these flaws, along with the acceptance of our actions that we truly become better humans. I write this complaint with a significant amount of encouragement from my fellow officers. I am blessed to be in a position to be able to stand up for what is right and hopefully instill courage in the younger officers who serve this great community to hold each other accountable. That includes the Chief of Police. This profession is a proud one, with decades of decent people taking on monumental tasks of all sorts, with one simple goal in mind, to make their communities a better place. We have signs hanging around the briefing room, the room that officers sit in before hitting the street to serve the public that used to mean something. One of those is courage, and I encourage you to find that in yourselves to do the right thing and investigate these complaints impartially and with a clear mind. The officers who made this agency a premier law enforcement agency deserve better than this from the very top of the organization, because if nothing is done, and there is no accountability, then what does that say to that officer with two weeks on and 30 years left to go.

Semper Fidelis,

Officer Charles Hawkins  
West Chester Police Department